G. R. S. 59]

MU 8

GENERAL AND REVENUE SECRETARIAT.

1906

( )

File No.

Serial Nos. 1 to 4

Papers Filed.

Month September

SUBJECT.

Restoration of certain Inam Lands endowed to Godhumaipa Mudali

PREVIOUS REFERENCES.	LATER REFERENCES.
	Mur. 103-07 M.J. 606-16 553-20 Jourg. 1.8.42 46-1-2

Mem. 8] 1906.

MUZRAI SECRETARIAT.

OFFICE NOTE.

File No. 21-06

SUBJECT.

Re restoration of certain inam lands endowed to Godhuraiya's matt—

From

The Superintendent of Inam Settlement, L.

No. 439 Dated 27th July 1907.

(4 A) From the extract of the Inam Reg:r received with the Inam Superintendent's letter cited above, it is observed that old Survey No 23 – present Sur: No 22 of Hanumanthapura village near Anniamma's temple in Bangalore City is a 'Devadaya' inam granted for the support of Godhuraiya's matt at the place, which continued as the institution on a footing of Religious

File No. of Muzrai Secretariat.

A portion of the inam was alienated and from the documents produced by one Govindappa, the earliest date of the alienation is the year 1863, and the alienated portions have been in the enjoyment by means of lease, mortgage &c which has passed several hands.

In the year 1890 Siddaiya Pujari in the Matt sued against Govindappa in the District Judge's Court, Bangalore for the declaration of his title to and possession of the alienated portions of the land, and the parties having effected a compromise, the Late Judge Mr. T. Narahari Rao decided that the Pujari should be given Rs 26 per annum as rent of the Matt lands in question. vide copy of Judgment slip B

In the year 1904, Siddaiya petitioned the Deputy Commr. of Bangalore complaining that the Gutta was not being paid by Govindappa & praying that it should be paid to him. slip C

Mnz. 8A]

Mūzrai Secretariat. | File No. of 190

and restored to him. Thereupon enquiry was ordered and Mr. M. S. Ramachendra Rau, Rev Probationer went to the spot & submitted a detailed report, whereupon the D. Commr. Mr. Sparkes ordered that under clause B of the Rules of 1877, six months notice should be given to the present enjoyer of the lands & directed the Asst. to enquire of the lands & the matter.

Slip D)

In the year 1890 when Govindappa applied for license to repair certain buildings on the said lands, the then Vice President Mr. Raghavachari approved the Plan and observed that the land being on the Slip 7) buildings.

In the 6th Dec. 1906) Slip E

File No. of 190 | Muzrai Secretariat.

Paper under disposal

Muzrai. 8A]

Muzrai Secretariat. | File No. of 190 •

and the Dy Commrs orders ...
the ... of ... of ...
of the lands ... Ewan ...
... Rules ... the ... ...

The case is clearly one coming under clause B of Rule II of the Alienation Rules of 17th Nov 1877 The Appeal Petn may, it is subd, be rejected and the Dy Comr informed accordingly.

74 Subd & the 2nd/5 Chamarajendra 2/3/07

I concur. Dy Comrs order may be confirmed & the Petn rejected - HVN 3/8/07

Subd to the Dewan 3/3/07 15/3/07

5443 5.8.07

GPB—3,000—22 6 06

File No. of 190 Muzrai Secretariat.

]
and Revenue Secretariat. | File No. of 19

Serial No.

4

Nos. 1311-3 dated 3-9-1907.

To.

The Revenue Commissioner in Mysore
.. Superintendent of Inam Settlement
.. Deputy Comr., Bangalore Dt.

Confirms the Deputy Comrs orders.

NOTE.—Contn. sheet

GPB—50 000—12 8 10

MYSORE GOVERNMENT 5821/16

No. R. 10969

29th June 1907

Transferred to the Secretary to the Govt of H.H. the Maharaja of Mysore, Mukhya dept

29/6/07

2/7/07

Rev Coms Form 12

190 . 10293 / Rev

From

A. RANGASWAMI IYENGAR, Esq., B.A., B.L.,

Revenue Commissioner

To May 21 — Mysore.

The Secretary to the Government of H. H. the Maharaja of Mysore, General & Revenue Departments

Dated 25th June 1907.

Despatched 27th

Received

No. 15-661

Enclosure No 7 & 2.0.

Forwards for orders records relating to the appeal of Puttudi Gowndappa and Yellappa and others of Bangalore regarding the restoration of certain Inam lands to Godhuraya's Mutt, the institution to which they were originally granted as Inam -

Young & Co., Printers 2,000—6 3 07

No. 15661
7 & V.P.

OFFICE OF THE RE

Bangalore, 25th / 27th June

FROM

A. RANGASWAMI IYENGAR, ESQ., B.A., B.L.,
Revenue Commissioner in Mysore.

TO

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

SIR,

I have the honour to forward for the of Government Petitions of Appeal Nos 9816 and 9826, dated 16-2-07, together with their enclosures, from Pattadi Govindappa of Bangalore, and Yellappa and others of Bangalore respectively, against the order of the Deputy Commissioner, Bangalore District, directing the petitioners to restore certain lands in their possession to Godhuraiya's matt, to which the said lands were originally granted as Inām.

2. The facts of the case are briefly as follows:— Survey No. 22 of Hanumanthapur (near Annamma's temple, Bangalore) 2 acres. 24 guntas, dry, assessed at Rs 4/-, and 2 acres. 36 guntas, garden, assessed at Rs 23/- is entered in the quit rent register as having been

been granted as inam for the support of Godhu raniya's Matt on a Jodi of Rs 6/- and unenfranchised. A portion of it was alienated to strangers and has been in their enjoyment at least from the year 1862-63 (and the petitioners urge that the lands were alienated even earlier) by means of lease, mortgage and sale and has passed several hands. In 1890 one Siddaiya alleging to be the pujari of Nanjundeshwara of Kallu matta (near Godhuraiya's matt) and a descendant of the original grantee, filed a suit in the District Judge's Court, Bangalore, for the declaration of his title to and for possession of the alienated lands. In this suit the parties having effected a compromise, it was decreed that the land was the property of Kallumatada Nanjundeshwara temple, that the defendants were tenants in possession and that they should pay to the pujari of the temple Rs 26/- per annum, as the rent of the land. Again in 1892 the said Siddaiya filed a suit before the Munsiff of Bangalore for permanent injunction from erecting any building on the land in question and the suit was dismissed on the ground

that

that the decree of the District Judge did not confer on the Plaintiff any possession or control over the land. This finding was also confirmed by the Chief Court, in appeal.

3. After this the abovenamed Siddaiya remained quiet till 1904 when he presented a petition to the Deputy Commissioner, praying for the restoration of the land in question to the institution to which it was originally granted as inam. The Deputy Commissioner being of opinion that the alienation was subsequent to 1853 directed the eviction of the present occupants of the land and the restoration of the same to Godhuraiya's Matt. Against this order the occupants of the land have filed the present appeal.

4. The Deputy Commissioner says that he took action under Government (Chief Commissioner's) notification No. 266 dated 17-11-77 (printed in page 214 of the Revenue Manual). This notification refers to alienations by grantees of inam lands and provides that the Revenue Officers might take action under instructions from the Inam Superintendent.

I am

I am therefore of opinion that in a matter of this kind, an appeal does not lie to the Revenue Commissioner (vide also Note 13 to Section 61 of Sathe's Bombay Land Revenue Code). The appeal petitions together with letters Nos 628 & 629 dated 19-3-07 from the Deputy Commissioner Bangalore District, and the records received therewith, are accordingly submitted herewith for the orders of Government.

I have the honour to be,

Sir,

Your most obedient servant,

K Subbarao

for Revenue Commissioner

Sathe
26/6

Mpo
4/7

Muz 1 A]

190

From Mug E 21-1906-
2

To The Superintendent
of Inam Settts in Mysore

Dated

Despatched 7.7.07.

Received

General No. 61
No.

Enclosure No.

Has the Hona Bregwork
to be furnished with an
extract of the Inam Reg:
relating to the grant of
Sur: No 22, measuring 5 acres
22 Guntas and assessed at
Rs 27 situated in Hanumanthapura
Bangalore taluk
village, as inam to Sodhumaiya's
matt for its support on
a jodi of Rs 6/-. By order

GPB—3,000—21-7 03

4/7/07

4/7/07
Secy Inam Dept

Encl 1

Inam Superintendent's office
Bangalore dated 24/27 July 1907.

Mzg 1- 2-1-6

From

The Superintendent of Inam
Settlements in Mysore.

To,

The Secretary to the Government
of Mysore, Muzrai Department.

Sir,

As requested in your docket:-
No 61 dated 9th July 1907, I have the honor to
forward herewith, a copy of the Inam Register
of the grant of lands to Godhuraiyas' Mutt
in Hammanthpur village, Bangalore Taluk.

I have the honor to be
Sir,
Your most obedient Servant

D Narasa Rao

Superintendent of Inam
Settlements in Mysore

Register Sheet No. 247.

Taluk — Bangalore.

Hobli — Halasuru

Village — Hanumanthapura

Copy of the Register of Inams in the village of Hanumu

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant Dry, wet or garden	Extent	
			Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acres and their fractions in decimals
1	2	3	4	5
4. I. D. No. 757	Devadaya	Survey Dry No. 23	H. J. a 1808 K K P Dry 0-8-2	
Title Deed No. ~~23~~ 41201 Date of Prep^n 1-1-76 Date of issue to Taluk 22-1-77				

of Halasuru in the Taluk of Bangalore

DESCRIPTION, TENURE AND			
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, i. e., jodi, etc., amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	9
H. J. a 1808 P. 7.r. : R-a-p 5-0-0 = 14-8-9	-	For the support Goddumiah's Matt in Bangalore Mattu good order and Service rendered. Vide Amils' Reg. No. II of 1874	*: as per Duryam No. account of 1869. Jodi R-a-p 2 = 5-13-1 which in survey was made into 5 3/4 Rupees. *: account other than this is said not to be available: The present manager tells that the jodi is being paid from time immemorial (Sd) B. K. Venkata Varadiengar 8/11/875.

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given.
10	11

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	Huzur Jari acct. 1808. Gotturiahs matt Dry. K.A.P. P. 0-8-2 5-0-0 *: This appears to be an error - for "Goduriahs matt (Sd.) B. K. Venka- -tavardiengar 11/8/75. Asst.	H. J. A of 1831. Goduriahs matt (Chennaveera vadéi + Lidrauvadéi) K.A.P P.F.V Dry 0-8-2 5-0-0. Survey Jodi patrik of 1872. Vader Andani Devaru Jodi R.A.P. 5-12-0

of the

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been subdivided, the name, etc., of each sharer should be entered in the columns

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Bangalore Godwriahs Matt Mangers protem	—	—	—

Draft as per Dewan's orders

Division

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20
Whole grant. Valid Rule I. To be confirmed on existing Jodi viz 5 3/4 Rs Jari Extent adopted (Sgd) B. K. Venkata - - Rangangar 9/11-8-75. Asst	1. Whole grant Devadaya Jari 2. Confirmed on the Jodi. Rs 6. (Sgd) Robert Cole 9/11-11-75. Inam Supdt
Inam Supdt's office, Bangalore 26th/27th July 1907	"Copy" D Rama Rao Superintendent of Inam Settlements in Mysore

GPB—1,000 books of 2 sheets each—9 8-06.

Draft as per Dewan's orders

Munzrai

21 Mug 1-2 - 07

Read:-

Petitions Regd. Nos 9816 and 9826, dated 16th Feb 1907, presented to the Revenue Commissioner in Mysore by Pattadi Govindappa of Bangalore and Yellappa and others of Bangalore respectively, appealing against the order of the Deputy Commissioner, Bangalore District, directing the restoration of certain lands in their possession to the Sodhu-ruiya Matt, Bangalore.

Letter No 1561, dated 25th June 1907, from the Revenue Commissioner in Mysore, submitting the petitions and also the ~~recommended~~ ,

and the records relating to the
case received by him from the
Deputy Commissioner, Bangalore DF
Letter No 14, dated 26th
July 1907, from the Superintendent
of Immigrant Settlements in Mysore.

Order thereon:— No. 1311-35/ 3.9.1907
Rec'd. & filed

The facts of the case are
briefly as follows:—

From the extract of the
Immigrant Register received with the
Immigrant Superintendent's letter
mentioned above and also from the
Inward Rent Register of the Bangalore
Circle it is observed that the
[illegible] (the present
[illegible]) of a Malayalam Hindu
[illegible]

A G
2 - 24 Dry
2 - 36 Garden

Bangalore, measuring 5 acres
20 guntas as noted in the
margin and assessed at Rs 23/-,
is a Devadaya Inam granted
for the support of Godhurayas
Matt at Bangalore, and
confirmed to that Institution
on a Jodi of Rs 6/- ~~payable~~
~~to Govt.~~

2 From the documents
produced by Govindappa,
one of the Appellants, it
appears that a portion of
the land referred to above
was alienated to him, the
earliest date of such
alienation being of the
year 1863. The petitioners
also urge that other portion

were also alienated by
of lease, mortgage and sale and
have passed several hands.

3 In the year 1890, one Siddaiya
a descendant of the original
pujari of the Godhavaiya's matt
applied to the District Judge
of Bangalore for a declaration
of his title to and for possession
of the alienated lands as against
the Appellants The parties however
effected a compromise, and the
late Judge Mr T Nanahani Rao
thereupon decreed that the lands
were the property of Kallu Mattada
Nanjundeswara attached to the
Gochuriaya's matt, that the
Appellants were only tenants
in possession and that they should

pay to the pujari Rs 26/- per annum as the rent of the land.

4. In the year 1904, however the said pujari Siddaraja, petitioned the Deputy Commissioner, Bangalore District, complaining that the rent on the Matt lands was not being paid to him and praying that the Inam lands might be resumed and restored to the Matt. A thorough enquiry was then held, and Mr H H Sparkes, the then Deputy Commissioner directed the exemption of the present occupants of the lands, viz.,

appellants and the restoration
of the same to the Godhuraja
matt. It is against this
order that the petitioners
appealed to the Revenue Commissioner
But, as the alienation in
question was ~~made~~ in respect
~~of the Hospital~~
of Inam lands and was made
by the grantees of such lands,
the Revenue Commissioner
states that the appeal
does not lie to him and has
accordingly forwarded the petitions
together with the connected papers
for disposal of Govt.

5. From the facts as set
forth above, the Govt observe
that the case is clearly one

unauthorized alienation of Devadaya Inam coming under clause B Rule II of the Alienation Rules published under the Chief Commissioner's Notification No 766 of the 17th November 1877. The Deputy Commissioner's order is accordingly confirmed, and the appeal petitions rejected.

6 The Deputy Commissioner is requested to inform the petitioners accordingly.

(Dewan's order)

31/8/82

Secretary.

To 27/8/82

The Revenue Commissioner in Mysore, with 5 enclosures

" Supdt of Inam Settlements in Mysore.

" Deputy Commissioner, Bangalore Dt

Bruce 31/8/82